IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF GEORGIA ATLANTA DIVISION

VICTORIA CORNEJO,

Plaintiff,

CIVIL ACTION FILE

NUMBER

P&A TRANSPORTATIONS, INC. AND

RENE CHAVEZ LUCERO,

Defendants.

DEFENDANTS' NOTICE OF REMOVAL

1.

Plaintiff Victoria Cornejo filed civil action file number 19-CS-489 against Defendants P&A Transportations, Inc. and Kuldip R. Mehta in the State Court of Troup County, Georgia. Defendants attached a copy of the Summons and Complaint as Exhibit "A" and Defendants' Answer as Exhibit "B."

2.

Plaintiff was a citizen and a resident of the State of Georgia when she filed the Complaint. Complaint para. 1

3.

Defendant P&A Transportations, Inc. was dissolved as of December 29, 2015:

https://businesssearch.sos.ca.gov/Document/RetrievePDF?Id=028312 11-20179021, but it was a California corporation with its principal place of business in California before it was dissolved.

4.

Defendant Kuldip R. Mehta was a citizen and resident of the State of California when Plaintiff filed the Complaint.

5.

Plaintiff claims she was injured and sustained pain and suffering, cost of treatment, and all other elements of damages under Georgia law. Complaint para. 38. She seeks damages for personal injuries, past, present, and future pain and suffering, disability, disfigurement, mental anguish, loss of capacity for the enjoyment of life, economic losses, incidental expenses, past, present, and future medical expenses, lost earnings, loss of earning capacity, permanent injuries, punitive damages, and consequential damages to be proven at trial. Complaint para. 41. Counsel for Plaintiff stipulates the amount in controversy exceeds \$75,000.00 exclusive of interest and costs.

6.

This civil action is properly removable to this Court pursuant to 28 U.S.C. §§ 1332(a), 1441(a), 1446(a) and 1446 (b) because there is a complete diversity of citizenship between the Plaintiff and the Defendants and the amount in controversy, exclusive of interest and cost, exceeds the sum of \$75,000.

7.

All properly served Defendants consent to the removal of this case.

8.

Defendants give notice to the Court, the Clerk and parties under 28 U.S.C. § 1446 and Rule 11 Fed. R. Civ. P. they removed the case to this Court within thirty days after service and receipt of a copy of the Complaint filed in the Troup County State Court, Georgia, from which it may be ascertained that the case is one which is and/or has become removable.

DENNIS, CORRY, SMITH & DIXON, LLP

/s/ Grant B. Smith
GRANT B. SMITH, ESQ.
Georgia bar number 658345

/s/ Joel P. Purser

JOEL P. PURSER, ESQ. Georgia bar number 748466 For the Firm Attorneys for Defendants

900 Circle 75 Parkway, Suite 1400 Atlanta, Georgia 30339 (404) 926-3658 (404)365-0134 Facsimile Gbs@dcplaw.com Jpurser@dcplaw.com CERTIFICATE OF SERVICE

I electronically filed NOTICE OF REMOVAL with the Clerk of

Court using the CM/ECF system which will automatically send

email notification of such filing to the following attorneys of

record:

Michael Rafi, Esq.

Rafi Law Firm

1201 West Peachtree Street NW

Suite 2319

Atlanta, GA 30309

mike@rafilawfirm.com

jackson@rafilafirm.com

Attorneys for Plaintiffs

I also mailed by United States Postal Service the document

to the following non-CM/ECF participants: None.

This 19th day of December, 2019.

/s/ Grant B. Smith

GRANT B. SMITH, ESQ.

For the Firm

2697-13948 (GBS)

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